

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

No. 1:17-cv-7994-AT-DCF

**RIO TINTO PLC, RIO TINTO LIMITED,
THOMAS ALBANESE, and GUY ROBERT
ELLIOTT,**

Defendants.

**PLAINTIFF SECURITIES AND EXCHANGE COMMISSION'S
NOTICE OF MOTION TO EXCLUDE THE TESTIMONY
OF DEFENDANTS' EXPERT WITNESSES**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Plaintiff Securities and Exchange Commission's Motion to Exclude the Testimony of Defendants' Expert Witnesses, the Declaration of Emily True Parise, dated April 12, 2021, and its exhibits, the Notice of Motion, and such other and further papers and proceedings as may be filed or had, Plaintiff Securities and Exchange Commission ("SEC"), by and through its counsel, will move this Court before the Honorable Analisa Torres, United States District Judge, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Courtroom 15D, New York, New York 10007, at a time and date to be determined by this Court, for an Order granting the SEC's Motion to Exclude the Testimony of Defendants' Expert Witnesses, pursuant to Local Civil Rule 6.3 of the Local Rules of the U.S. District Courts for the Southern and Eastern Districts of New York, and for entry of the SEC's proposed Order.

PLEASE TAKE FURTHER NOTICE that, pursuant to the memo endorsement signed and dated on March 19, 2021 (ECF No. 216), opposition papers, if any, are to be served on or before **May 12**, 2021 and, reply papers, if any, are to be served on or before **May 26, 2021**.

Dated: April 12, 2021

By: /s/ Thomas A. Bednar
Thomas A. Bednar
Counsel for Plaintiff
Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549
(202) 551-6218
bednart@sec.gov